

REMARKS

Claims 1-14 are all the claims pending in the application. Claims 2-5 and 7-8 have been withdrawn from consideration pursuant to an provisional election made without traverse.

Claims 1-6 and 9-14 have been rejected under 35 U.S.C. §§ 102, 103 and 112.

Claims 1, 6 and 12 have been amended herewith. In Claims 1 and 6, the word “type” has been deleted. In Claim 12, the phrase “via a layer (1) made of the resin composition according to Claim 1” has been deleted and replaced with the phrase “and a layer (1) made of the resin composition according to Claim 1, wherein the layer (1) is located between the layer (2) and the layer (3).”

I. Formal Matters

The Examiner has indicated that none of the certified copies of the priority documents have been received by the PTO. The certified copies of the priority documents were filed on December 19, 2001, along with the present Application.

Attached is a stamped copy of the cover letter.

II. Claim Rejections Under 35 U.S.C. § 112, second paragraph

Claims 1, 6, 9 and 10-14 have been rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

With respect to Claims 1 and 6, the Examiner alleges that the word “type” renders the claims indefinite. With respect to Claim 12, the Examiner alleges that it is not clear what the term “via” means in the structure of the laminate.

Applicants have amended Claims 1 and 6 herewith to delete the term “type.” Applicants have also amended Claim 12 in order to clarify that the layer (1) made of resin compound is located between the layer (2) made of polyurethane and layer (3) made of an olefin-based or styrene-based thermoplastic elastomer.

In view of the amendment of the pending claims, Applicants respectfully requests that the rejection of Claim 1, 6, 9 and 10-14 be reconsidered and withdrawn.

II. Claim Rejections Under 35 U.S.C. § 102

Claims 1, 6, 9 and 10 are rejected under 35 U.S.C. § 102(b) as alleging being anticipated by U.S. Patent No. 4,073,775 to Matsuo (“Matsuo”).

The Examiner asserts that Matsuo teaches a powder resin composition comprising a phenolic monomer or resin and a copolymer of an epoxy group-containing monomer and an α -olefin.

Applicants’ Response

Applicants respectfully traverse the anticipation rejection on the ground that Matsuo does not teach each and every element recited in the present claims.

The instantly-claimed invention is directed to a resin composition comprising copolymer (A) and either a resol-type phenolic resin (B1) or a polyhydric phenol (B2). Copolymer (A) is comprised of an epoxy group-containing monomer and an α -olefin.

Applicants assert that Matsuo fails to teach either component (A), (B1) or (B2) of the instantly-claimed resin composition.

Regarding copolymer (A), Matsuo does not disclose a copolymer comprising an epoxy group-containing monomer and an α -olefin unit. Matsuo's copolymer (A) comprises monomer (1) (*see* "general formula" of column 2, lines 45-50) and monomer (2), *i.e.*, a ethylenically unsaturated monomer unit (*see* column 2, line 53). Matsuo does not teach that monomer (2) can be an α -olefin unit. *See* column 4, lines 18-34.

With respect to claimed components (B1) and (B2), Applicants initially note that the general formula of Matsuo's compound (B) limits R_3 to "[a)] a hydrocarbon radical having 2 to 30 carbon atoms or [(b)] a linking group containing, at least at its both terminals, hydrocarbon radicals, and in its main chain at least one member selected from the group consisting of an ether linkage, ester linkage, urethane linkage and amide linkage, and having totally 4 to 20 carbon atoms." *See* Matsuo Claim 1.

Regarding the instantly-claimed resol phenolic resin (B1), it is well known in the art that the resol phenolic resin (B1) in the present invention (*see* page 4, line 26, through page 6, line 10) contains not only a hydroxyl group (-OH) but also a methylol group (-CH₂OH) in its aromatic nucleus. On the other hand, Matsuo's compound (B) does not contain a methylol group. *See* column 28, lines 29-44. Therefore, the resol phenolic resin (B1) of the present invention is not taught by Matsuo.

Regarding polyhydric phenol (B2), it can easily be understood that the polyhydric phenol (B2) of the present invention (*see* page 6, lines 11-28 of the present specification) does not satisfy (a) and (b) as defined in the Claim 1 of Matsuo. Therefore, the polyhydric phenol (B2) is not taught by Matsuo.

AMENDMENT UNDER 37 C.F.R. § 1.111
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ATTORNEY DOCKET NO. Q67751

In view of the above comments, Applicants respectfully seek that the § 102 rejection be reconsidered and withdrawn.

III. Rejection of Claims 10, 11 and 13 Under 35 U.S.C. § 103

Claims 10, 11 and 13 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Matsuo.

It is asserted that it would have been obvious to one of ordinary skill in the art at the time the invention was made to choose polyurethane or olefin because they are well-known plastics.

Applicants' Response

Applicants respectfully argue that the laminate recited in Claims 10-11 and 13 is not taught or suggested by Matsuo.

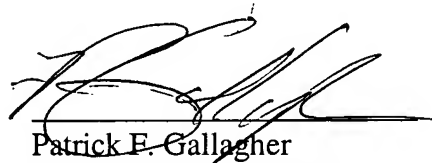
As discussed in above above, components (A), (B1) and (B2) of the present invention are quite different from Matsuo copolymer (A) and Matsuo compound (B). Therefore, one of ordinary skill in the art would not arrive at the present invention by choosing polyurethane or olefin as a plastic substrate. Accordingly, Applicants respectfully request that the rejection of Claims 10, 11 and 13 be reconsidered and withdrawn.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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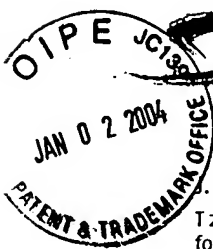
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Date: January 2, 2004

ATTACHMENT



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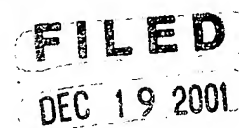
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December 19, 2001

BOX PATENT APPLICATION
Commissioner for Patents
Washington, D.C. 20231

Re: Application of Kohsuke OHTANI, Hikaru SHIMIZU
RESIN COMPOSITION, LAMINATE AND PRODUCTION OF LAMINATE
Assignee: SUMITOMO CHEMICAL COMPANY, LIMITED
Our Ref. Q67751



Dear Sir:

Attached hereto is the application identified above comprising 41 sheets of the specification, including the claims and abstract. The executed Declaration and Power of Attorney and Assignment will be submitted at a later date.

The Government filing fee is calculated as follows:

Total claims	14 - 20	=		x	\$18.00	=	\$0.00
Independent claims	1 - 3	=		x	\$84.00	=	\$0.00
Base Fee							\$740.00
TOTAL FEE							\$740.00

A check for the statutory filing fee of \$740.00 is attached. You are also directed and authorized to charge or credit any difference or overpayment to Deposit Account No. 19-4880. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 and any petitions for extension of time under 37 C.F.R. § 1.136 which may be required during the entire pendency of the application to Deposit Account No. 19-4880. A duplicate copy of this transmittal letter is attached.

Priority is claimed from:

<u>Country</u>	<u>Application No</u>	<u>Filing Date</u>
Japan	2000-386781	December 20, 2000
Japan	2001-046383	February 22, 2001

The priority documents are enclosed herewith.

Respectfully submitted,
SUGHRUE MION, PLLC

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